



4. On May 17, 2018, the Court entered a default against Digital Service Group. A copy of the default is attached as Exhibit C.

### **B. ARGUMENT**

5. The Court may enter default judgment against a party that has not filed a responsive pleading or otherwise defended the suit. Fed. R. Civ. P. 55; *see United States v. \$23,000 in U.S. Currency*, 356 F.3d 157, 163 (1st Cir. 2004).

6. The Court should enter default judgment against Digital Service Group because Digital Service Group did not file a responsive pleading or otherwise defend the suit within 21 days after November 22, 2017, the date of service of Plaintiffs' Complaint. Fed. R. Civ. P. 12(a)(1)(A)(i); Fed. R. Civ. P. 55; Exhibit B.

7. Digital Service Group is a corporate entity and, thus, is not a minor or an incompetent person.

8. Digital Service Group is a corporate entity and, thus, is not in military service.

9. Plaintiffs seek a sum certain in damages in the amount of **\$83,835.17**. This amount is described and established through Plaintiffs' damages affidavit attached to this motion. Exhibit E.

### **C. CONCLUSION**

10. Defendant Digital Service Group was served with Plaintiffs' Complaint and has wholly failed to file a responsive pleading. A default has been entered by the Court. Plaintiffs have now submitted an affidavit establishing their sum certain in damages. For all these reasons, Plaintiffs ask the Court to grant this motion and enter default judgment against Digital Service Group in the amount of **\$83,835.17**, plus Court costs and interest.

Respectfully submitted on May 24, 2018, by:

SCHIFFER HICKS JOHNSON PLLC

/s/ Andrew S. Hicks  
Andrew S. Hicks (attorney-in-charge)  
State Bar No. 24032419  
700 Louisiana St., Suite 2650  
Houston, Texas 77002  
Tel: 713.357.5150  
Fax: 713.357.5160

ATTORNEY IN CHARGE FOR BSG CLEARING  
SOLUTIONS NORTH AMERICA, LLC;  
ENHANCED SERVICES BILLING, INC.; ACI  
BILLING SERVICES, INC.; HOLD BILLING  
SERVICES CO.; AND BILLING CONCEPTS,  
INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on May 24, 2018, the foregoing document was served on all counsel  
of record through the U.S. District Court's CM/ECF electronic filing system.

/s/ Andrew S. Hicks  
Andrew S. Hicks